

REMARKS

I. Formal Matters

Applicant thanks the Examiner for accepting the drawings filed on March 04, 2004.

Applicant also thanks the Examiner for acknowledging the references cited with the Information Disclosure Statement (form PTO/SB/08), filed on March 04, 2004.

However, Applicant notes that in the Office Action Summary (form PTOL-326), the Examiner has erroneously indicated that the certified priority document has not been received. In a telephone conversation with the Applicant's representative on February 16, 2007, Supervisory Examiner Xiao Wu confirmed that the certified copy of the priority document, which was submitted on March 04, 2004, was in fact received by the PTO.

Note that the Examiner is therefore requested to mark the appropriate box in the next Office Action confirming the receipt of certified copy of the priority documents.

II. Rejection of claims 1-7 under 35 U.S.C. § 103(a)

Claims 1-7 have all been examined and are all pending in the application.

Claims 1-7 have been rejected under 35 U.S.C § 103 (a) as allegedly being unpatentable over PalmPilot: The Ultimate Guide, Second Edition, by David Pogue, in view of US Patent Application Publication Number 2002/0198898 A1, Werner.

Applicant traverses the rejection and requests reconsideration at least for the following reasons.

Independent Claim 1

In order to maintain a rejection of Claim 1 under 35 U.S.C § 103(a) the Examiner must explain with reasonable specificity that the combination of Pogue and Werner teaches or suggest all the limitations recited in Claim 1. Furthermore, the examiner must present some suggestion or motivation, for one of ordinary skill in the art, to combine the reference teachings. See MPEP § 2143. The Applicant respectfully submits that, Pogue teaches a way to store bookmarks on portable devices and Werner teaches a way of stamping location information on files. Neither reference teaches nor suggests the desirability of the combination at the time of the present invention as needed for a rejection due to obviousness, according to section 2143.01 of MPEP. Therefore, there was no suggestion or motivation to combine the teachings of Pogue and Werner at the time the invention, as asserted by the Examiner on pages 4-5 of the Office Action.

The Applicant also respectfully submits that the assertion in the Office Action that, because of “methods and apparatus for communication between a web browser (client) and a website (server) are well known” cited from page 3 paragraph [0038] of Werner, a person of ordinary skill would have been motivated to combine the teachings of Pogue and Werner is not supported by the facts. The explanation given in the Office Action, simply suggests that the method of communication between a web browser and website is well known. This does not suggest that a person of ordinary skill in the art would have been motivated to modify and/or combine the teaching of Werner with the teachings of Pogue to incorporate a bookmark sorting unit to automatically sort URLs, based on situational information and the type of sort key stored in the sort key storing unit, as recited in claim 1.

Even if the teachings of Werner and Pogue were combined as asserted by the Examiner, the resulting product would not teach all the limitations recited in claim 1. For instance, Pogue teaches a way a user can manually insert and store bookmarks. On the other hand, Werner teaches a way of stamping location information on files. By combining the teachings of Pogue and Werner, one would produce a product that merely stamps bookmarks with location information.

Combining both teachings as asserted in the Office Action would not produce a device that comprises, amongst other things, a sorting unit that will automatically sort URLs based on acquired situation information and the type of sort key stored in a sort key storing unit, such as, but not limited to, position, time of day and day of the week information, and display the bookmarks in an order more fitting for the user of the portable terminal device. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 based on 35 U.S.C. § 103.

Dependent Claims 2 and 3

Claims 2 and 3 depend from claim 1, and therefore, are allowable by virtue of their dependency and because of the additional limitations recited therein

Independent Claim 4

Claim 4 recites, *inter alia*, a situation acquiring unit and a bookmark sorting unit to sort URLs based on situation information acquired from the situation acquiring unit and therefore is allowable at least for the reasons discussed above.

Independent Claim 5

Claim 5 recites, *inter alia*, a situation acquiring means and a bookmark sorting means that sorts URLs based on situation information acquired from the situation acquiring means, and therefore claim 5 is allowable at least for the reasons discussed above.

Dependent Claims 6 and 7

Claims 6 and 7 depend from claim 5, and therefore, are allowable by virtue of their dependency and because of the additional limitations recited therein.

Independent Claim 8

Newly added claim 8 recites a sort key unit, a situation acquiring unit and a bookmark sorting unit to sort URLs based on situation information acquired from the situation acquiring unit and the type of sort key stored in the sort key storing unit. Therefore claim 8 is allowable at least for the reasons discussed above.

Dependent Claim 9-13

Newly added claims 9-13 depend from claim 8, and therefore, are allowable by virtue of their dependency and because of the additional limitations recited therein.

III. Conclusion

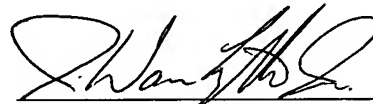
In view of the above, it is respectfully submitted that claims 1-13, being all the claims present in the application, are patentable and that this application is in condition for allowance. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. §1.111
U.S. Appln. No. 10/791,802

Atty Docket No. Q80201

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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